IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1581 OF 2002

Grover Vineyards Limited
A Public Limited Company
Registered under the provisions of the
Companies Act, 1956 and having its
Registered Office at Anand Bhavan,
348, Dr.D.Naoroji Road,
Mumbai – 400 001 and factory at
127, Jaya Mahal Extension,
Bangalore 560 046 .....Petitioner

versus

1. State of Maharashtra
Mantralaya, Mumbai – 400 032

2. Commissioner of State Excise,
Maharashtra State,
2nd Floor, Old Custom House,
Mumbai – 400 032. ..... Respondents

Mr.Sanjay Udeshi i/by M/s.Sanjay Udeshi & Co., for the petitioner.
Ms.Geeta Shastri, AGP, for the respondents.

CORAM: P.B.MAJMUDAR &
R.M.SAVANT, JJ.

DATE: 03rd OCTOBER, 2011

ORAL JUDGMENT : (PER R.M.SAVANT, J.) : -

1. The above petition was companion to Writ Petition No.2012 of 2002 and other cognate matters. The issue in the said petitions as well as in the above petition, is the challenge to the Notification dated

10-01-2002 fixing the licence fees. It appears that during the pendency of the above petition, as also the said petitions, the Government had issued a Notification dated 30-05-2003 on account of which the grievance of the petitioners in the said petitions, was redressed. In view thereof, the Division Bench of their Lordships Mr.Justice R.M.Lodha, (as His Lordship then was) and Mr.Justice R.S.Mohite, who heard the said matters, did not deem it fit to go into the rival contentions.

2. The learned counsel for the petitioner in the instant petition states that the order passed in the said group of petitions dated 05-04-2005 would govern the above petition, as infact it was a companion matter to the said petitions. In view of the said statement and in view of the subsequent Notification dated 30-05-2003, it is not necessary for us to go into the rival contentions and the petition to stand disposed of in view of the said subsequent Notification dated 30-05-2003. Since there was an interim order operating in favour of the petitioner and since we have disposed of the petition in the light of the said order dated 05-03-2005, the petitioner is directed to pay the amount in question to the respondents within a period of eight weeks from date.

3. Rule to accordingly stand disposed of.

(R.M.SAVANT, J.) **(P.B.MAJMUDAR, J.)**